



Patent

Attorney Docket No. GEMS8081.197

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Thomas L. Toth et al.  
Serial No. : 10/765,617  
Filed : January 27, 2004  
For : SYSTEM AND METHOD OF  
DETERMINING A USER DEFINED  
REGION-OF-INTEREST OF AN  
IMAGING SUBJECT FOR X-RAY FLUX  
MANAGEMENT CONTROL  
  
Group Art No. : 2882  
Examiner : Elizabeth Marie Keaney

**CERTIFICATION UNDER 37 CFR 1.8(a) and 1.10**

I hereby certify that, on the date shown below, this correspondence is being:

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**37 CFR 1.8(a)****37 CFR 1.10**

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Date: October 6, 2005

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Commissioner For Patents  
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**COMMENTS ON STATEMENT  
OF REASONS FOR ALLOWANCE**

Dear Sir:

Responsive to the Notice of Allowability mailed September 22, 2005, Applicant submits the following remarks responsive to the Examiner's Statement of Reasons for Allowance.



2005 11:53AM

ZPS GROUP SC

No. 9283 P. 4

U.S. Serial No. 10/765,617

**REMARKS**

In response to the Examiner's Reasons for Allowance, Applicant believes that a separate Statement of Reasons for Allowance is unnecessary in the present case as the file history sufficiently sets forth the patentable distinctions of claims 1-22.

The patentability of claims 1-22 lies in each claim as a whole. That is, a single particular element or feature of a claim does not define the claim's patentability, but rather, it is the combination of elements and the interconnection therebetween that define the invention. The claims cannot be considered to be limited in scope based on this brief statement by the Examiner. For example, the Examiner's statement with regards to claim 17 is only partially accurate because it does not take into account the subject position adjustment. Applicant stands by its position previously set forth in the file history.

Applicant does not acquiesce to the accuracy of the Examiner's statements in the Reasons for Allowance nor the Examiner's partial/incomplete paraphrasing of the claim elements.

Entry of these remarks is appreciated and Applicant cordially invites the Examiner to respond, should the Examiner disagree.

Respectfully submitted,

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Dated: October 6, 2005  
Attorney Docket No.: GEMS8081.197

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